

The Petitioner, All About The Message, LLC (AATM), wishes a declaratory ruling that a voicemail message call delivered by direct-to-voicemail insertion technology is not a prohibited call. I urge you to deny AATM's petition.

Please consider the very intrusive and burdensome effect of AATM's position. At present, if a person receives a call (from whatever source), the person can quickly look at the number (or lack of a number if the caller has blocked the number from being shown) and make a decision whether or not to take the call.

AATM's petition would, however, present an increased and undesired burden on the person. The person called would suddenly and unexpectedly receive a notice that there was a voicemail message. The person called would wonder how they missed the call as the telephone did not ring or vibrate. Further, in accordance with telemarketing industry practice of blocking the calling party number, the voicemail notice would most likely not have a caller name or telephone number displayed. The person called would therefore not know whether the "missed" call was an important call, such as a call from a school notifying the person that his/her child was sick, a call from an elderly parent who needed assistance, a call from a bank asking about a large, unexpected charge on a credit card, a call from the person's office notifying the person that an important meeting had been scheduled, etc.

The person would then dial or access the voicemail system, enter a passcode, possibly have to listen to previously saved messages, and then finally arrive at the unsolicited commercial message which would not have a caller name or telephone number display with it, and then listen to at least part of the message to determine that the "missed" call was an unsolicited commercial message. The direct-to-voicemail insertion technology would therefore present an even greater, burdensome intrusion than an unsolicited telephone call.

I request that the FCC define a "call" as any communication directed to "a telephone number assigned to a 'paging service, cellular telephone service, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call.'" As such, a communication directed to the voicemail service assigned to such a telephone number would be directed to the telephone number, and would therefore be a prohibited call.